



Premise

HOUSING PLUS

Statement of Environmental Effects

IN SUPPORT OF A DEVELOPMENT APPLICATION

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CONTENTS

1. INTRODUCTION	4
1.1 OVERVIEW	4
1.2 BACKGROUND TO THE CORE AND CLUSTER MODEL	4
1.3 ABOUT THE APPLICANT – HOUSING PLUS.....	5
2. THE SITE & ITS LOCALITY.....	6
2.1 THE SITE	6
2.2 THE LOCALITY	6
3. THE DEVELOPMENT.....	9
3.1 DEVELOPMENT DESCRIPTION	9
3.2 A NEW FORM OF HOUSING	9
4. STATUTORY PLANNING FRAMEWORK.....	10
4.1 OBJECT OF THE EP&A ACT	10
4.2 SECTION 1.7.....	11
4.3 SUBORDINATE LEGISLATION.....	12
4.4 INTEGRATED DEVELOPMENT	12
4.5 PLANNING INSTRUMENTS.....	12
5. IMPACTS, SITE SUITABILITY & THE PUBLIC INTEREST.....	18
5.1 CONTEXT AND SETTING.....	18
5.2 ACCESS, TRANSPORT AND TRAFFIC.....	19
5.3 SERVICING.....	19
5.1 HERITAGE.....	20
5.2 OTHER LAND RESOURCES.....	20
5.3 STORMWATER AND FLOODING	20
5.4 AIR AND MICROCLIMATE	20
5.5 FLORA AND FAUNA	20
5.6 WASTE.....	20
5.7 NOISE & VIBRATION.....	21
5.8 NATURAL HAZARDS.....	21
5.9 SAFETY, SECURITY AND CRIME PREVENTION	21
5.10 SOCIAL IMPACT	21
5.11 ECONOMIC IMPACT	22
5.12 SITE DESIGN AND INTERNAL DESIGN	22
5.13 CONSTRUCTION IMPACTS	23
5.14 CUMULATIVE IMPACTS.....	23
6. CONCLUSION	24
6.1 SUITABILITY OF THE SITE.....	24
6.2 THE PUBLIC INTEREST	24

FIGURES

Figure 1 – The Subject Site	7
Figure 2 – The Site Locality	8

TABLES

Table 1 – Section 7.2 of the BC Act	11
Table 2 – SLEP 2013 Mapping	13
Table 3 – Singleton LEP 2013 R1 General Residential Zone Objectives.....	14
Table 4 – SLEP 2013 Earthworks Considerations	15
Table 5 – SDCP 2014 Private Open Space Objectives.....	18

APPENDICES

APPENDIX A PROJECT DRAWINGS
APPENDIX B DCP COMPLIANCE TABLE

1. INTRODUCTION

1.1 Overview

Premise has been commissioned by Housing Plus to prepare a Statement of Environmental Effects (SEE) to accompany a Development Application (DA) for the development of a *group home (transitional)* at 147 Gardner Circuit and 4 Francis Place, Singleton Heights (Lot 201 DP1280257 and Lot 202 DP1280257) (the 'site').

Housing Plus is a Tier 1 community housing provider which provides affordable housing, homelessness services, domestic and family violence services, post-release services, home modifications, employment pathways and other innovative services. The proposed group home forms part of the Housing Plus "Core and Cluster" domestic and family violence program, providing a safe haven for women and children escaping and recovering from domestic violence.

The site is located in the Singleton Shire Council (SSC) Local Government Area (LGA). It has an irregular shape with a total area of approximately 1,503.4m² and a street frontage of about 26.63 metres to Gardner Circuit to the north and 36.56 metres to Francis Place to the east. The site is currently vacant, having been recently constructed as part of the Bella Ridge Estate subdivision.

Development for the purpose of a *group home (transitional)* is permitted with consent in Zone R1 General Residential applying to the site under clause 2.3 of the *Singleton Local Environmental Plan 2013* (the SLEP 2013) and fundamentally consistent with the objectives of the zone.

This SEE has been prepared pursuant to the relevant provisions of the *Environmental Planning and Assessment Act 1979* (the EP&A Act) and *Environmental Planning and Assessment Regulation 2021* (the EP&A Regulation).

This SEE is provided in the following format:

- **Section 2** of this report provides a description of the subject site and its locality.
- **Section 3** outlines the proposed development.
- **Section 4** details the planning framework applicable to the subject site and proposed development.
- **Section 5** identifies the impacts of the proposed development.
- **Section 6** provides a conclusion to the SEE.

1.2 Background to the Core and Cluster Model

Domestic Violence NSW, the peak body for specialist and family violence services in NSW, reports that 1 in 4 Australian Women (23%) have experienced physical or sexual violence by a current or former intimate partner since the age of 15¹.

While there are many other statistics which may be cited in relation to the prevalence and nature of domestic violence, the key message is that domestic violence has a serious impact on women's health, which contributes to a range of negative health outcomes, including poor mental health, problems during pregnancy and birth, alcohol and illicit drug use, suicide, injuries, and homicide².

In October 2021, the NSW Government announced funding of \$484.3 Million to provide long term infrastructure to support women and children escaping domestic violence. Specifically, \$426.6 Million is designated to support the Core and Cluster Program.

^{1,1} <https://www.dvns.org.au/domestic-family-and-sexual-violence-statistics/>

The Core and Cluster model is an accommodation model that seeks to improve the quality of accommodation available for women and children seeking refuge from domestic violence. Traditionally, accommodation has been provided in the form of share house environments which required residents to share all amenities and facilities other than bedrooms. The Core and Cluster model improves on the former share house model by providing self-contained living quarters for each resident, including private kitchen and bathroom facilities. Notwithstanding, the Core and Cluster model continues to operate as a single household.

Under the Core and Cluster model, self-contained living quarters (the 'Cluster') are located in close proximity to communal facilities (the 'Core'), which provide access to services such as counselling, legal assistance, education and employment support as well shared spaces.

The fundamental principle of the Core and Cluster model is that the residents have direct access to critical support and assistance while also having the personal space and necessary amenities to effectively deal with personal issues and trauma.

It is relevant to acknowledge that the Victorian *Royal Commission into Family Violence 2016* (the 'Commission') has driven the implementation of the 'Core and Cluster' model across Australia³. Specially, the Commission has stated the following:

The 'core and cluster' refuge model is preferable to the communal model because it provides self-contained facilities for families while maintaining the positive aspects of communal living, such as onsite support from workers and opportunities to spend time with other families who might have had similar experiences. With this configuration, women can have friends and family visit, have their teenage boys live with them, and have room for attendant carers and other supports. A further benefit is that the core and cluster model provides a base for services, such as legal services, to meet with residents, as well as ensuring that the physical environment has space for child and youth-sensitive facilities, with play areas, books, toys and private space for young people.⁴

Further, the Commission has highlighted that it is particularly concerned that the stress and anxiety some women experience in group living (i.e. a traditional share house) contributes to their decision to return home to an unsafe environment⁵.

1.3 About the Applicant – Housing Plus

Housing Plus is a Tier 1 community housing provider that specialises in homelessness, domestic and family violence services in regional areas of NSW, including Orange, Dubbo, Bathurst and Mudgee.

Housing Plus has a 30-year history of providing client-centred tenancy and property management services in the Central West and Western regions of NSW.

Critically, Housing Plus has been responsible for one of two trials of the 'Core and Cluster' model in NSW, being 'The Orchard' in Orange.

The Orchard is a purpose-built women and children's domestic and family violence centre. It consists of a 'core' building containing meeting rooms, communal facilities, a crèche and overnight accommodation for one member of staff; and a 'cluster' of three duplex buildings, each containing two two-bedroom villas (six units in

³ https://www.facs.nsw.gov.au/_data/assets/pdf_file/0007/831670/Core-and-Cluster-Discussion-Paper-May-2022.pdf

^{4,4} http://rcfv.archive.royalcommission.vic.gov.au/MediaLibraries/RCFamilyViolence/Reports/RCFV_Full_Report_Interactive.pdf

total). These are fully enclosed and set in landscaped gardens. The development is built to a 7-star rating under the Nationwide House Energy Rating Scheme.

2. THE SITE & ITS LOCALITY

2.1 The Site

As shown in **Figure 1**, the site comprises two irregularly shaped lots comprising a total area of 1,503.4m². It has a northern frontage of 26.63 metres to Gardner Circuit to the north and 36.56 metres to Francis Place to the east. Land on the northern side of Gardner Circuit is occupied by single storey detached dwelling houses, as well as a child care centre. Land on the eastern side of Francis Place is presently vacant, with dwelling houses under construction further east as part of the Bella Ridge Estate residential subdivision.

The southern frontage has a length of 30.08 metres, shared with 6 Francis Place that is also a vacant lot within the Bella Ridge Estate residential subdivision. The western boundary has a length of 68.425 metres, shared with a two storey detached dwelling house at 145 Gardner Circuit and single storey detached dwelling houses at 5 and 7 Robinson Way.

The site has a slight slope down from all boundaries to the south-western corner. It is vacant of built form and vegetation is limited to managed grass. There are no existing trees within the site.

2.2 The Locality

As shown in **Figure 2**, the site is located within the Bella Ridge Estate residential subdivision that is currently under construction. Its local context includes the residential subdivision, as well as established development in the surrounding area.

Development within the local context is characterised by a mix of single and double storey detached dwelling houses with some higher density forms located at street corners such as the two pairs of semi-detached dwellings at 141 and 143 Gardner Circuit and 139 Gardner Circuit and 2 Robinson Way and dual occupancies at 140, 142, 159 Gardener Circuit. Other dual occupancies or semi-detached dwellings within the local context are located at 147, 162, 168 and 174 Gardner Circuit, 6 Madden Parade, 1 Eggleton Close, 3A and 3B Patridge Place, 19 and 19A Nicholas Conoly Drive, 6A and 6B Cox Place, 7 and 7A James House Close and more.

Regardless of land use, established development is characterised by single or double storey heights and brick construction with pitched, tiled or metal roofs. More recent development is characterised by a greater mix of materials and finishes including cement render and face brick with pitched metal roofs.

Figure 1 – The Subject Site



Sources: © State of NSW, Department of Customer Service, Spatial Services 2023
Nearmap 2023

GDA2020 MCA Zone 56 File: 222173_01_MASTER.aprx Prepared By: adam.davis Date: 07/02/2023

Legend

-  Site
-  Cadastre
-  Road

Figure 2 – The Site Locality



Sources: © State of NSW, Department of Customer Service, Spatial Services 2023
 Neermap 2023

GDA2020 MCA Zone 56 File: 222173_01_MASTER.aprx Prepared By: adam.davis Date: 07/02/2023

- Legend**
- Site
 - Cadastre
 - Road
 - Watercourse

3. THE DEVELOPMENT

3.1 Development Description

As detailed in the architectural plans prepared by Housing Plus (refer to **Appendix A**), this DA seeks consent for erection of a *group home (transitional)* comprising three separate components within the subject site. The use of the proposed group home is consistent with the Housing Plus "Core and Cluster" model, described in **Section 1.1** of this SEE.

The Core is split between two single storey buildings located in the central and northern portions of the site. The building in the central portion of the site comprises a communal lounge, dining and kitchen area with separate areas designated for children, study, bathroom and laundry amenities. The building located in the central – northern portion of the site comprises administrative spaces including a reception area and waiting room and office space, as well as consultation rooms and a multi-purpose room.

Specifically, the Cluster comprises six independent living quarters contained within a two-storey building in the southern portion of the site. The independent living quarters range between one- and three-bedroom formats, with each including an open plan kitchen, living and dining area and separate bathroom / laundry.

As previously noted, the fundamental principle of the Core and Cluster model is that the residents of the Cluster have direct access to critical support and assistance provided in the Core while also having the personal space and necessary amenities to effectively deal with personal issues and trauma.

Vehicular access to the site is provided via a new driveway from Gardner Circuit, leading to a car parking area accommodating four spaces. Pedestrian access would be provided via a pedestrian gate to Francis Place.

Other elements of the proposed development include a generous area of private communal open space (i.e. while it is for use of all residents, it is secluded from public view), a modest storage shed and dedicated waste storage area.

The proposed development also incorporates a 1.8m high timber and masonry fence to the frontages with Gardner Circuit and Francis Place.

3.2 A New Form of Housing

As previously discussed in **Section 1.2**, it is important that the community and consent authority acknowledge that the 'Core and Cluster' model is a relatively new form of housing which is purposively designed to meet the needs of residents.

As noted by the Commission, 'Core and Cluster' is... *"a set of individual units on a piece of land, together with office space or workers' space and communal activities areas for residents. The site allows for independent living while also providing comprehensive support services for women and children. The model offers families privacy while allowing them to connect and be supported as they wish. Families effectively have their own home."*

While it is acknowledged that the 'Core and Cluster' model does not necessarily reflect conventional residential accommodation design ideals in each circumstance, it must be recognised that it provides for key elements that are critical for victims of violence to regain a sense of security and recover from the trauma they have experienced.

In this regard, it is noted that the Commission clearly identifies that secure and affordable housing provides a place for a woman to rebuild her life, plan for her future, care for her children, and build positive connections with people and services in the community.

Further, the Commission notes that having a secure home is critical to ending the powerful hold family violence has on victims and the way that it can define their future.

For this reason, the proposed development includes unique design features. While it is acknowledged that these features may not reflect conventional residential design ideals, they are considered critical to the effective operation of the proposed development.

4. STATUTORY PLANNING FRAMEWORK

4.1 Object of the EP&A Act

In New South Wales (NSW), the relevant planning legislation is the *Environmental Planning and Assessment Act 1979* (EP&A Act). The EP&A Act instituted a system of environmental planning and assessment in NSW and is administered by the Department of Planning, Industry & Environment (DPIE). In 2017, the Act was amended to provide a range of updated objects. The objects of the EP&A Act are:

- (a) *To promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources,*
- (b) *To facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,*
- (c) *To promote the orderly and economic use and development of land,*
- (d) *To promote the delivery and maintenance of affordable housing,*
- (e) *To protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,*
- (f) *To promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),*
- (g) *To promote good design and amenity of the built environment,*
- (h) *To promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,*
- (i) *To promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,*
- (j) *To provide increased opportunity for community participation in environmental planning and assessment.*

The proposed development is considered to be consistent with the above objects, with particular reference to objects (c), (d) and (g).

4.2 Section 1.7

Section 1.7 of the EP&A Act requires consideration of Part 7 of the *Biodiversity Conservation Act 2016* (BC Act). Section 7.2 of the BC Act provides that a development can be considered as “likely to significantly affect threatened species” in three ways, each of which are considered in **Table 1**.

If the development is “likely to significantly affect threatened species”, subsection 7.7(2) provides that a biodiversity development assessment report (BDAR) is required to accompany the DA.

Table 1 – Section 7.2 of the BC Act

Test	Assessment
<p>1. it is likely to significantly affect threatened species or ecological communities, or their habitats, according to the test in section 7.3, or</p>	<p>The site does not contain any significant trees and is located in a disturbed, urban setting.</p> <p>Recent aerial photography from May 2023 confirms that the site has been substantially stripped of all vegetation, including grasses, during the construction of the subdivision.</p> <p>Accordingly, it is considered that the proposed development is unlikely to significantly affect any threatened species or ecological communities, or their habitats.</p>
<p>2. the development exceeds the biodiversity offsets scheme threshold if the biodiversity offsets scheme applies to the impacts of the development on biodiversity values, or</p>	<p>Section 7.4 of the BC Act provides that development exceeds the biodiversity offsets scheme threshold if it involves the clearing of native vegetation declared in the <i>Biodiversity Conservation Regulation 2017</i> (the BC Regulation). Section 7.1 of the BC Regulation provides that development exceeds the threshold if it is or involves the clearing of native vegetation:</p> <p>(a) Of an area declared by clause 7.2 of the BC Regulation as exceeding the threshold; or</p> <p>(b) On land included on the Biodiversity Values Map.</p> <p>With respect to subsection 7.1(a), Section 7.2 of the BC Regulation provides clearing thresholds depending on the minimum lot size applying to the land under an environmental planning instrument (or the actual size of the land where no minimum lot size applies).</p> <p>The proposed development does not result in the removal of more than 0.25 hectares of native vegetation being the threshold for a site with an area of 1,503.4m² where no minimum lot size applies.</p> <p>With respect to subsection 7.1(b), the site is also not identified on the Biodiversity Values Map. Accordingly, a BDAR is not required.</p>

Test	Assessment
3. it is carried out in a declared area of outstanding biodiversity value.	The site is not located within a declared area of outstanding biodiversity value. Accordingly, a BDAR is not required.

4.3 Subordinate Legislation

The EP&A Act facilitates the preparation of subordinate legislation, consisting of:

- Environmental Planning Instruments (EPIs) (including State Environmental Planning Policies (SEPP), Local Environmental Plans (LEP), and deemed EPIs; and
- Development Control Plans (DCP).

In relation to the proposed development, the relevant subordinate legislation includes:

- *Singleton Local Environmental Plan 2013* (SLEP 2013); and
- *State Environmental Planning Policy (Biodiversity and Conservation) 2021* (the Biodiversity SEPP);
- *State Environmental Planning Policy (Resilience and Hazards) 2021* (the Hazards SEPP); and
- *State Environmental Planning Policy (Housing) 2021*(the Housing SEPP); and
- Singleton Development Control Plan 2014 (Singleton DCP 2014).

The requirements of these are discussed in **Section 4.5** of this Statement.

4.4 Integrated Development

Section 4.46 of the EP&A Act provides that development which isn't State significant development that requires development consent and approvals under separate legislation listed in Section 4.46 is integrated development.

Proposed development does not require consent and approvals under a separate legislation listed in Section 4.46. Thus, it is not an integrated development.

4.5 Planning Instruments

4.5.1 LOCAL ENVIRONMENTAL PLAN

4.5.1.1 Introduction

The *Singleton Local Environmental Plan 2013 (LEP)* is the applicable local planning instrument applying to the land. The aims of the LEP are:

- (aa) to protect and promote the use and development of land for arts and cultural activity, including music and other performance arts,*
- (a) to provide a framework for regulating development within Singleton,*
- (b) to promote the use of rural resources for agriculture and primary production, including forestry and open cut mining, and major infrastructure providers,*

- (c) to encourage the sustainable management, development and conservation of natural resources,
- (d) to protect and conserve the environmental and cultural heritage of Singleton,
- (e) to ensure that a range of housing choice is provided for all residents of Singleton throughout all life stages,
- (f) to promote and coordinate the orderly and economic use and development of land in Singleton,
- (g) to provide adequate protection for, and minimise risk to, the community, as far as is practicable, from environmental hazards, including flooding and bush fire,
- (h) to protect and enhance watercourses, riparian habitats and water quality in Singleton.

The proposed development is specifically consistent with the aims (e), (f) and (g).

In particular, it is noted that (e) specifically seeks to ensure that a range of housing choice is provided for all residents on Singleton throughout all stages of life.

4.5.1.2 Mapping

A review mapping via the NSW Planning Portal identifies the following applicable mapped constraints:

Table 2 – SLEP 2013 Mapping

Constraint	Applicability	Section addressed
Land Application Map	Applies	N/A
Land Zoning Map	R1 General Residential	4.5.1.2.1
Additional Permitted Uses Map	N/A	N/A
Lot Size Map	N/A	N/A
Floor Space Ratio Map	N/A	N/A
Land Reservation Acquisition Map	N/A	N/A
Land Reclassification (Part Lots) Map	N/A	N/A
Heritage Map	N/A	N/A
Flood Planning Map	N/A	N/A
Urban Release Area Map	N/A	N/A
Floor Height Restriction Map	N/A	N/A
Buffer Areas Map	N/A	N/A
Drinking Water Catchment Map	N/A	N/A

Constraint	Applicability	Section addressed
Riparian Lands and Watercourses Map	N/A	N/A

The above matters, together with other relevant LEP clauses, are discussed in the following sections.

4.5.1.2.1 Land Use Zoning

Subclause 2.3(1) of the SLEP 2013 provides that the Land Use Table at the end of Part 2 provides the objectives for development, development that may be carried out with or without consent and development that is prohibited in each zone. Under subclause 2.3(2), the consent authority must have regard to the objectives for development in a zone when determining a DA in respect of land within the zone.

Development for the purposes of a *group home (transitional)* is permitted with consent in Zone R1 General Residential that applies to the site under clause 2.3 of the SLEP 2012. The proposed development is consistent with the objectives of the R1 General Residential Zone as demonstrated in **Table 3** below.

Table 3 – Singleton LEP 2013 R1 General Residential Zone Objectives

Objective	Comment	
<ul style="list-style-type: none"> To provide for the housing needs of the community. 	The proposed development provides for the housing needs of the community by providing six independent living quarters and associated facilities to support the victims of domestic violence and their dependents.	✓
<ul style="list-style-type: none"> To provide for a variety of housing types and densities. 	The proposed development is consistent with this objective as it provides for an alternative housing type which is not otherwise commonly provided.	✓
<ul style="list-style-type: none"> To enable other land uses that provide facilities or services to meet the day to day needs of residents. 	The proposed development provides for the day to day needs of residents within the Singleton LGA as it incorporates two land uses for which there is a demonstrated need, and which are not otherwise commonly provided within the community.	✓

4.5.1.3 Additional local provisions

4.5.1.3.1 Earthworks

Subclause 7.1(2) of the SLEP 2013 provides that development consent is required for earthworks unless the works are exempt under SLEP 2013 or another environmental planning instrument (EPI) or ancillary to development for which consent has been given. If development consent is required, SSC is required to consider the matters in subclause 7.1(3).

The proposed development includes earthworks that are not exempt under the SLEP 2014 or another EPI or ancillary to development for which consent has been given. Accordingly, the proposed earthworks are considered in the context of the matters for consideration in subclause 7.1(3) in **Table 4**.

Table 4 – SLEP 2013 Earthworks Considerations

Matters for Consideration		Comment
(a)	The likely disruption of, or any, detrimental effect on, drainage patterns and soil stability in the locality of the development.	The proposed earthworks are considered to be relatively minor and are unlikely to influence existing drainage patterns or soil stability in the wider locality of the proposed development. Given that the site forms part of a recently approved and constructed residential subdivision and that the surrounding area is substantially developed, it is anticipated that any major overland flow would be managed within the existing stormwater network, streets and public reserves.
(b)	The effect of the development on the likely future use or redevelopment of the land.	Earthworks are required to establish a suitable pad level and functional outdoor areas. The extent of earthworks would be typical of any proposed development of the site and are unlikely to have any detrimental effect on any future use or redevelopment of the site.
(c)	The quality of the fill or the soil to be excavated, or both.	Earthworks are likely to be restricted to cut only, with any required fill to be balanced on-site. It is anticipated that Council would apply a suitable condition of consent in relation to the quality fill or soil to be removed, if required.
(d)	The effect of the development on the existing and likely amenity of adjoining properties.	Given that the proposed earthworks are negligible, they are unlikely to have any detrimental effect on the existing and likely amenity of any adjoining property, including the existing developed property at 147 Gardner Circuit.
(e)	The source of any fill material and the destination of any excavated material.	As noted above, earthworks are likely to be restricted to cut only, with any required fill to be balanced on-site. It is anticipated that Council would apply a suitable condition of consent in relation to the quality fill or soil to be removed, if required.
(f)	The likelihood of disturbing relics.	Given that the site forms part of a recently constructed subdivision, it has been highly disturbed. As such, it is unlikely that the proposed development would disturb any relic.
(g)	The proximity to, and potential for adverse impacts on, any waterway, drinking water catchment or environmentally sensitive area.	The site is not mapped as intersecting with any mapped watercourse, nor it is identified as being located within a mapped drinking water catchment or environmentally sensitive area.

Matters for Consideration		Comment
(h)	Any appropriate measures proposed to avoid, minimise, or mitigate the impacts of the development.	A detailed stormwater management plan has been submitted with the Development Application. The stormwater management plan has been prepared in consultation with the Singleton Council following a pre DA meeting in May 2023.

4.5.1.3.2 Essential services

Subclause 7.3(3) of the SLEP 2013 prevents the consent authority from granting the development consent on land to which this clause applies unless it is satisfied that any of the services that are essential for the development, being water and electricity supply, disposal and management of sewage, stormwater drainage or on-site conservation and suitable vehicular access, are available or that adequate arrangements have been made to make them available when required.

Given that the site forms part of a recently developed residential subdivision, it is understood that all essential services are available to the proposed development.

4.5.2 STATE ENVIRONMENTAL PLANNING POLICY

4.5.2.1 State Environmental Planning Policy (Biodiversity and Conservation) 2021

Subsection 2.39(1) of the Biodiversity SEPP provides that Chapter 2 of the SEPP applies to non-rural areas of the State being land within specified LGAs and land within specified zones. Where the Chapter applies, Section 2.6 prevents a person from clearing:

- Vegetation in a non-rural area of the State to which Part 2.3 of the Biodiversity SEPP applies without the authority conferred by a permit granted by Council; or
- Native vegetation in a non-rural area of the State that exceeds the biodiversity offsets scheme threshold without approval by the Native Vegetation Panel under Part 2.4 of the Biodiversity SEPP.

Chapter 2 applies as Zone R1 General Residential is specified in subsection 2.39(1). However, the proposed development does not involve the removal of any vegetation, other than grasses that may have re-established following construction of the subdivision. Accordingly, the Biodiversity SEPP is not addressed in any further detail.

4.5.2.2 State Environmental Planning Policy (Housing) 2021

Chapter 3 of *State Environmental Planning Policy (Housing) 2021* (the Housing SEPP) relates to diverse housing. Part 2 of Chapter 3 relates to group homes. Subsection 61(1) in Chapter 3, Part 2 provides that development for the purposes of a group home may be carried out without consent if it does not contain more than ten bedrooms within one or more group homes on a site and if it is carried out by or on behalf of a public authority. Alternatively, it must be carried out without consent via either a DA or complying development certificate (CDC) application.

Subsection 64(1) of Chapter 3, Part 2 provides that a group home is complying development if it does not contain more than ten bedrooms within one or more group homes on a site, satisfies the general requirements for complying development in Sections 1.18 and 1.19 (except 1.18(1)(h) and 1.19(1)(b)) of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* (the Codes SEPP), is not in a draft heritage conservation area and meets the development standards set out in Schedule 2 of the Housing SEPP.

Where a DA is required, subsection 62(1) of Chapter 3, Part 2 prevents the consent authority from refusing consent to development for the purposes of a group home unless it has made an assessment of the community need for the group home. It also must not impose a condition on a consent granted for a group home only because the development is for the purposes of a group home.

Whilst the proposed development is carried out on behalf of a not-for-profit organisation, it is not carried out on behalf of a public authority. Accordingly, a DA is required. LCC may be satisfied that there is a clear community need for the group home subject of this application as it will provide accommodation and associated services to survivors of domestic violence, an increasingly important issue locally, regionally and nationally (refer to **Section 1.2**).

4.5.2.3 State Environmental Planning Policy (Resilience and Hazards) 2021

Section 4.4 of *State Environmental Planning Policy (Resilience and Hazards) 2021* (the Hazards SEPP) provides that Chapter 4 applies to the whole of the State. Subsection 4.6(1) of the Hazards SEPP prevents the consent authority from granting development consent on land unless it has considered whether the land is contaminated and, if contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable after remediation) for the purposes for which the development is to be carried out. If the land requires remediation, the consent authority must be satisfied that the remediation will occur before the land is used for that purpose.

Chapter 4 applies as the site is located within the State. Given that the site forms part of a recent subdivision for a residential purpose, it is understood that SSC has satisfied itself that the land is suitable for the purpose for which the proposed subdivision was intended (i.e. permissible land uses in the R1 General Zone). As such, it is assumed that the site is suitable for the proposed use of *group home (transitional)*.

Further, it is noted that there are no properties within the Singleton LGA which are registered on the NSW EPA Contaminated Land Register (searched 20 January 2023) or Record of Notices (searched 20 January 2023).

4.5.3 DEVELOPMENT CONTROL PLANS

4.5.3.1 Singleton Development Control Plan 2014

The Singleton Development Control Plan 2014 (SDCP 2014) applies to the site. **Appendix B** provides a summary of relevant matters raised via the DCP together with an assessment of project specific compliance.

As outlined at **Appendix B**, the development is generally compliant with all relevant provisions of the Development Control Plan with the exception of those relating to the area and dimensions of private open space associated with the proposed development:

- The proposed development includes ground floor units with 8.38m² of private open space for one bedroom units and 15.05m² for two bedroom units, non-compliant with the minimum 40m² required under Part 2, Section 2.15, Control (d).
- Whilst the three bedroom unit at the upper level is to be provided with 21.77m² of private open space, the two one bedroom units are to be provided with 8.38m² of private open space, non-compliant with the minimum 10m² required under Part 2, Section 2.15, Control (f).
- The proposed development includes ground level private open space with dimensions of less than four metres, non-compliant with Part 2, Section 2.15, Control (i).

The non-compliance is acceptable as private open space forming part of the proposed development remains consistent with the objectives of the control, as demonstrated in **Table 5**.

Table 5 – SDCP 2014 Private Open Space Objectives

Objectives:		Comment:	
(a)	to provide open space for the enjoyment of residents,	Each dwelling in the proposed development is provided with private open space with sufficient area and dimensions: <ul style="list-style-type: none"> • That meets the needs of domestic violence survivors and their dependents for the duration of their stay within the facility; and • That reflects the quantity of external communal open space provided as part of the proposed development. 	✓
(b)	to ensure that private open space is suitably designed and located,	All private open space forming part of the proposed development will be readily accessible from internal areas of each independent living unit. The communal open space is centrally located such that it is also readily accessible from each unit.	✓
(c)	to encourage outdoor lifestyle living.	All private open space forming part of the proposed development will be able to be utilised for a variety of outdoor lifestyle purposes.	✓

5. IMPACTS, SITE SUITABILITY & THE PUBLIC INTEREST

5.1 Context and Setting

The proposed development site forms a part of recently constructed residential subdivision which is located centrally between Robinson Way to the west and Nicholas Conolly Drive to the east.

The surrounding area is typically characterised by single and two storey detached dwelling houses, semi-detached dwellings and dual occupancies. Built form is typically characterised by brick or cement render finish with pitched roofs of tiled or metal finish.

The proposed development is generally consistent with its context and setting, comprising a mix of single and double storey buildings which collectively comprise the Core and Cluster. It is positioned at the corner of Gardner Circuit and Francis Place, consistent with higher density uses being predominantly located at street corners, such as the pair of dual occupancies at 140 and 142 Gardner Circuit and two pairs of semi-detached dwellings at 139 Gardner Circuit and 2 Robinson Way and 141 and 143 Gardner Circuit. The dimensions of the proposed buildings are generally consistent with that of existing residential development in the locality, as is their materiality.

While it is acknowledged that the 'Core and Cluster' model does not necessarily reflect conventional residential accommodation design ideals in each circumstance, it must be recognised that it provides for key elements that are critical for victims of violence to regain a sense of security and recover from the trauma they have experienced.

The above is achieved with minimal amenity impacts to neighbouring properties. In terms of solar access, overshadowing will be evenly distributed to established residential lots to the south-west and recently constructed, vacant lots to the south-east, ensuring that solar access is not (in the case of existing development) or will not (in the case of future development) be reduced to less than two hours to private open space or habitable room windows associated with neighbouring development.

In terms of visual privacy impacts from ground floor windows in the proposed development to neighbouring properties will be mitigated by fences along the property boundaries. Impacts from first floor windows in the proposed development to neighbouring properties will be minimal due to being associated with a bathroom (non-habitable space) or bedrooms (typically only used at night with blinds drawn). Impacts from balconies will be mitigated through privacy screening along the western edge.

In terms of acoustic privacy, noise generated is expected to be limited to conversation in communal open space areas and children using the playground. The level of noise generated is not expected to be greater than that which can be expected from the backyard of a dwelling house.

No significant views are known to be obtained across the site from neighbouring properties.

5.2 Access, Transport and Traffic

The proposed development will result in traffic during the construction phase associated with construction staff coming to and from the site in light vehicles, construction materials and equipment being delivered to and taken from the site in heavy vehicles and excess soils, vegetation and other waste being taken away from the site in heavy vehicles. However, these impacts are expected to be short-lived and manageable through standard construction measures.

Once operational, vehicular access to the site is to be from the site's Gardner Circuit frontage, constructed in accordance with SSC standards. The access location has good sightlines along Gardner Circuit which is not known to experience high levels of traffic. The vehicular access leads directly to the proposed at-grade parking, accommodating parking for four vehicles, compliant with the minimum required under Part 2, Section 2.27 of the SDCP 2013.

Vehicles accessing the site will generate additional traffic in the surrounding network. The impacts of the additional traffic is expected to be acceptable as:

- In the Housing Plus experience in operating other domestic and family violence accommodation elsewhere in NSW, a significant proportion of residents will arrive at the site by taxi or will be dropped by a trusted family member or friend;
- Once prospective residents accepted to reside in the facility, it is anticipated that they will undertake far fewer trips to and from the site than residents of a typical dwelling house as a high proportion of services are delivered to the site or performed by staff (e.g. bulk grocery deliveries); and
- Vehicle movements are expected to be limited to light vehicles and occasional vans and small trucks, resulting in traffic impacts to the surrounding road network and noise and vibration impacts to residential dwellings similar to any low density multi dwelling housing.

5.3 Servicing

Vehicular access to the proposed development is to be provided via the proposed driveway from the site's Gardner Circuit frontage, constructed to comply with the council's current standards.

It is anticipated that the proposed development will be connected to existing electricity, telecommunications, potable water, stormwater and sewer infrastructure within the site and surrounding area due to the site being

part of recently approved subdivision. It is anticipated that these networks can be augmented to accommodate any additional demand generated by the development.

5.1 Heritage

The site is not identified as being or adjoining a Heritage Item or within a Heritage Conservation Area under clause 5.10 of the LMLEP 2014. It is unlikely to contain Aboriginal sites or places due to being significantly disturbed as a consequence of civil works currently underway in accordance with previous approvals.

5.2 Other Land Resources

The proposed development will not have any impact on other land resources due to being for a permitted use within a residential zone in an urbanised area.

5.3 Stormwater and Flooding

There are no existing mapped watercourses running through the site, nor is the site located within 40 metres of the top of bank of a mapped watercourse. The proposed development retains significant landscaped area for on-site stormwater infiltration as well as rainwater tanks with a capacity of approximately 22,500 litres for on-site stormwater re-use. It is located within a newly established residential area, ensuring that any runoff that isn't infiltrated or re-used on-site can drain by gravity to SSC stormwater infrastructure via existing drainage connections.

5.4 Air and Microclimate

The proposed development will result in negligible air and microclimate impacts during construction. However, these are expected to be short-lived and manageable through construction in accordance with a construction management plan, to be provided following DA approval.

Once operational, the proposed development will not result in any air and microclimate impacts.

5.5 Flora and Fauna

The proposed development will not have any impact on flora and fauna due to being located within a heavily disturbed area currently undergoing construction in accordance with recent approvals. Substantial planting of native vegetation would be detailed in a landscape plan following DA approval to ensure that the proposed development will result in an improvement in canopy cover for the benefit of both future residents and biodiversity.

5.6 Waste

The proposed development will result in minimal waste impacts during construction due to the site being mostly vacant at present. Any excavated material will be reused on-site to the maximum extent possible. Any surplus excavated material and cleared vegetation will be deposited at an approved waste facility in accordance with the council requirements.

Once operational, the proposed development will generate low levels of household and office waste that will be stored in the dedicated waste storage area for regular collection.

5.7 Noise & Vibration

The proposed development will result in noise and vibration impacts during the construction phase associated with construction activities and construction vehicles and equipment being delivered to and from the site, construction staff coming to and from the site, construction materials being delivered to the site, excess soils, vegetation and other waste being taken away from the site (refer to **Section 5.6**). However, these are expected to be short-lived and manageable through construction in accordance with a construction management plan, to be provided following DA approval.

Once operational, the proposed development will not result in any vibration impacts and noise impacts are expected to be consistent with eight typical dwelling houses. Any noise impacts from the proposed group home are expected to be not more than that of surrounding residential properties.

5.8 Natural Hazards

The site is not known to be impacted by any natural hazards.

5.9 Safety, Security and Crime Prevention

The guidelines prepared by the NSW Department of Urban Affairs and Planning (DUAP 2001) identify four (4) Crime Prevention Through Environmental Design (CPTED) principles to be considered in a Development Application to ensure developments do not create or exacerbate crime risk. The four key principles of the guidelines include surveillance, access control, territorial reinforcement, and space management.

The proposed development will rely on closed-circuit television (CCTV) to monitor access points, the boundaries of the site and internal areas. Windows and private open space from the single and two storey buildings enable views to the driveway and at-grade carpark, the central communal area and entries to individual units.

The proposed development ensures access control and territorial reinforcement through fencing around the facility that clearly delineates the site boundary from the public domain and neighbouring properties. This is combined with gates and doors throughout to ensure that persons are unable to access various zones in the facility without first being granted access by staff.

The proposed development will ensure space management through the employment of maintenance staff that will maintain the facility in a tidy condition.

5.10 Social Impact

As defined by the NSW Government Office on Social Policy, social impacts are significant events experienced by people as changes in one or more of the following are experienced:

- peoples' way of life (how they live, work or play and interact with one another on a day-to-day basis);
- their culture (shared beliefs, customs and values); or
- their community (its cohesion, stability, character, services and facilities).

Family, domestic and sexual violence is a major and, unfortunately, rapidly growing health and welfare issue in Australia. Domestic Violence NSW, the peak body for specialist and family violence services in NSW, reports that 1 in 4 Australian Women (23%) have experienced physical or sexual violence by a current or former intimate partner since the age of 15.

Those suffering from domestic and family violence require acute and long-term assistance. As the epidemic of domestic and family violence grows, established facilities are facing increased pressure, especially in regional areas.

The proposed development will have a positive social impact, going some way towards meeting demand for emergency accommodation and professional services for victims. This includes legal, health and employment assistance, as well as other professional services. The significant public benefit provided by the development will far exceed any potential minimal impacts associated with the development as discussed in the preceding sections of this report.

5.11 Economic Impact

Housing Plus is a not-for-profit organisation providing crisis accommodation for victims of domestic and family violence.

The proposed development will have a positive economic impact during the construction phase, creating opportunities for a local construction contractor, equipment hire services and materials suppliers. At the operational phase, employment opportunities would include reception staff, social workers, groundskeepers, and security personnel. The proposed development will also create opportunities for local professionals such as legal, health and employment assistance professionals.

There is no evidence to suggest that development of accommodations for victims of domestic and family violence having a negative effect on property values of adjoining or nearby properties, especially where the accommodation is provided in a high-quality facility delivered by a Tier-1 community housing provider.

5.12 Site Design and Internal Design

The proposed development has been designed with reference to the publicly available *Design Guide: Specialist Domestic Violence Accommodation*, prepared by Housing Plus and Custance Architects. The guideline establishes the following design standards for domestic and family violence accommodation (2022, pp. 38, 39):

- *Safety: Good design supports a safety centred approach where clients, staff, and stakeholders feel safe. The physical building design will promote and ensure a safe and secure environment. Safety includes physical safety, as well as mental and emotional safety*
- *Privacy & Dignity: Good design provides private spaces, as well as space for families to interact and be together without creating a sense of isolation. The built form provides good aesthetics both internal and external, that promotes a sense of self-worth and wellbeing.*
- *Operational: Good Design considers and integrates all operational requirements relevant to each provider. Building maintenance policy and strategies, facilities management and performance management will need to be considered. It should be easy to maintain, robust and liveable. The design should ensure maximum end value and future alternative use options.*
- *Trauma Focused Design: Good design means creating calm spaces that promote relaxation, health and recovery through light, texture, colour, space and the careful*

consideration of sensory factors relating to design. Spaces are welcoming, predictable and clients can have control of their environment.

- *Flexibility & Adaptability: Good design means the accommodation can meet the needs of many different family structures and levels of independence. The building form is adaptable to meet different family sizes or accessibility needs.*
- *Children Inclusive: Good design is designed for children from newborns to teenagers. Children need to live, play and recover from trauma in a safe and secure environment. They need robust design and furnishings and a place of their own.*
- *Culturally Appropriate Design: Good design considers what people value as culture needs to enable them to feel immediately 'at home' and should consider the cultural, religious and familial demographic of the location.*
- *Fit for Purpose: Good design should consider the built form, urban context and streetscape, and through sympathetic material selection and well considered passive design integration, meet the clients' expectations and objectives and comply with the relevant codes for construction.*

5.13 Construction Impacts

Construction impacts would be short-lived and manageable. The following standard construction management measures would be implemented to ensure impacts to the locality are minimised:

- Standard construction hours (7 am to 6 pm Monday to Friday and 8 am to 1 pm Saturday and at no times on Public holidays) would be implemented;
- Avoiding dust generating activities during windy and dry conditions; and
- Maintaining all equipment in good working condition such that the construction contractor and site manager ensure the prevention of the release of smoke by construction equipment, which would be in contravention of Section 124 of the *Protection of the Environment Operations Act 1997* and Clause 16 of the *Protection of the Environment Operations (Clean Air) Regulation 2010*.

5.14 Cumulative Impacts

It is not anticipated that the development would result in any cumulative impacts including:

- individual impacts so close in time that the effects of one are not dissipated before the next (time crowded effects);
- individual impacts so close in space that the effects overlap (space crowded effects);
- repetitive, often minor impacts eroding environmental conditions (nibbling effects); or
- different types of disturbances interacting to produce an effect which is greater or different than the sum of the separate effects (synergistic effects).
- There are no known major projects being undertaken in proximity to the site that would result in cumulative impacts during either the construction or operation phase of the proposed development.

6. CONCLUSION

6.1 Suitability of the site

The site is suitable for the proposed development because:

- It is located in highly disturbed urban context surrounded by future lots that would be developed for residential uses;
- It has existing connections to essential services, recently constructed as part of the subdivision (refer to **Section 5.3**);
- It is unlikely to contain Aboriginal sites or places due to being significantly disturbed (refer to **Section 5.1**);
- It is not known to be contaminated (refer to **Section 4.5.2.3**);
- It is not known to be within a flood prone area; and
- It does not contain any vegetation due to being heavily disturbed as part of recent civil works enabled by previous approvals (refer to **Section 5.5**).

6.2 The Public Interest

The proposed development is in the public interest because:

- It is permitted with consent in and consistent with the objectives of Zone R1 General Residential in which the proposed development is to occur, as well as compliant and consistent with all other relevant development standards and provisions under the SLEP 2013;
- It is compliant with all development controls under the SDCP 2013, with the exception of those relating to the area and dimensions of private open space provided to each unit, considered to be acceptable on merit in the circumstances of the nature of the use;
- It will have minimal environmental, social and economic impacts; and
- The site is suitable to the proposed development.

For the reasons set out above, the proposed development is supported subject to SSC's standard conditions of consent.



APPENDIX A

PROJECT DRAWINGS



APPENDIX B

DCP COMPLIANCE TABLE

B.1 Part 2 Principal Design Standards

Controls:		Comments	Compliance
2.1 Public roads			
		Public roads are not proposed.	N/A
2.2 Public open space for residential subdivision			
		Subdivision is not proposed.	N/A
2.3 Street tree planting for subdivision in certain residential, business and industrial zones			
		As above.	N/A
2.4 Stormwater drainage systems			
(3)	Development consent should not be granted to development that would result in an increase or concentration in the amount of stormwater being discharged to the public stormwater drainage system unless the consent authority is satisfied that:	Given that the site forms part of a recent subdivision, it is assumed that the lot has been provided with a suitable connection to the SSC stormwater drainage system and the system has adequate capacity to accommodate post-development flows.	✓
(a)	The post development runoff from the land will not exceed the pre development run-off for all storm durations for the 5 year, 20 year and 100 year ARI		
(b)	any lots resulting from the subdivision of residential, business or industrial zoned land must be provided with connection to the street stormwater drainage system or inter-allotment drainage system		
(c)	the design of the stormwater drainage and discharge system must be sustainable and must not be prone to failure as a result of normal human influence,		
(d)	the design of the stormwater drainage and discharge system must comply with the Council's Engineering Design Specifications and be consistent with the approaches adopted by the Engineers Australia publications titled Australian Rainfall and Runoff (AR&R) and Australian Runoff Quality-A Guide to Water Sensitive Urban Design.		
(e)	the design of the stormwater drainage and discharge system should achieve the stormwater quality outcomes outlined in the following table:		

Controls:			Comments	Compliance	
	Pollutant	System intent	Treatment required		
	Suspended solids	To protect ambient water quality.	The stormwater management system is to reduce the average annual load by at least 80%.		
	Total Phosphorus	To protect ambient water quality.	The stormwater management system is to reduce the average annual load by at least 45%.		
	Total Nitrogen	To protect ambient water quality.	The stormwater management system is to reduce the average annual load by at least 45%.		
	Oil and grease	To protect the receiving system from hydrocarbons.	The stormwater management system is to be designed to ensure that there are no visible oils for flows up to 50% of the 1 year ARI peak flow in areas with concentrated hydrocarbon deposition.		
	Coarse sediment	To limit the sediment loads entering the system.	The stormwater management system is to be designed such that sediment coarser than 0.25mm Ø is retained for flows up to 50% of the 1-year ARI peak flow.		
	Litter	To protect the receiving system from anthropogenic litter.	The stormwater management system is to be designed such that litter greater than 50mm Ø is retained for flows up to 50% of the 1-year ARI peak flow.		
	<p>Notes.</p> <p>1. Where practical, the principles of Water Sensitive Urban Design (WSUD) should be incorporated into development design.</p> <p>2. The provisions of Austroads and Australian Standards may also apply to particular design situations</p>				
2.5 Lot shape and dimensions for certain rural and environmental living subdivision					
			Subdivision is not proposed.	N/A	
2.6 Lot shape and dimensions for certain village and residential subdivision					

Controls:		Comments	Compliance
		As above.	N/A
2.7 Lot shape and dimensions for certain residential accommodation in certain residential zones			
(3)	Development consent should not be granted to development for the purpose of an attached dwelling, dual-occupancy, secondary dwelling or semidetached dwelling on land to which this clause applies, unless the consent authority is satisfied that the width of the allotment (excluding access handles), when measured at the building line, is 25m or greater.	The proposed development is not characterised as attached dwellings, multi dwelling housing, a residential flat building, secondary dwelling or semi attached dwelling. Nevertheless, the width of the lot at building line relative to Gardner Circuit and Francis Place is compliant with the minimum 25 metre requirement.	✓
(4)	Development consent should not be granted to development for the purpose of multi dwelling housing or a residential flat building, on land to which this clause applies, unless the consent authority is satisfied that the width of the lot (excluding access handles), when measured at the building line, is 30m or greater.	The proposed development is not characterised as multi dwelling housing or a residential flat building. Nevertheless, the width of the lot at building line relative to France Place is compliant with the minimum 30 metre requirement.	✓
(5)	Despite subclauses (3) and (4), development consent may be granted to development on an allotment with a lesser width, if the consent authority is satisfied that:	The proposed development is compliant with the minimum lot widths specified above.	N/A
(a)	the width of the allotment when measured at the building line is not less than 11m, and		
(b)	hardstand areas (such as driveways, carparking areas etc) comprise less than 40% of the land forward of the building line, and		
(c)	the building is not closer than 6m to the front boundary of the lot, and		
(d)	the frontage of the allotment is comprehensively landscaped, and		

Controls:		Comments	Compliance
(e)	the development will not have any significant adverse impacts on the streetscape appearance as a result of the reduced lot width.		
2.8 Passive solar design for certain residential subdivision			
		Subdivision is not proposed.	N/A
2.9 Maximum building height			
(3)	Development consent should not be granted to erect a building unless the consent authority is satisfied that:		✓
(a)	the building height is appropriate in the setting, and	The proposed development comprises two single storey buildings and one two storey building, consistent with existing development in the locality that comprises a mix of single and double storey dwelling houses, semi-detached dwellings and dual occupancies.	✓
(b)	the height of the building will not exceed the height of surrounding buildings to a degree that it would detract from the aesthetic qualities of the locality, and	As above. The positioning of a group home at this location is consistent with existing development in the locality that is characterised by higher density forms at street corners.	✓
(c)	the height of the building will not result in nearby residences being overlooked or overshadowed to an unreasonable degree, and	Visual privacy impacts from ground floor windows in the proposed development to neighbouring properties will be mitigated by fences along the property boundaries.	✓

Controls:		Comments	Compliance
		<p>Visual privacy impacts from first floor:</p> <ul style="list-style-type: none"> • Windows in the proposed development to neighbouring properties will be minimal due to being associated with a bathroom (non-habitable space) or bedrooms (typically only used at night with blinds drawn); and • Balconies will be mitigated through privacy screening along the western edge. 	
	(d) the building height will not adversely impact upon any heritage values.	The site is not identified as being or adjoining a Heritage Item or within a Heritage Conservation Area under clause 5.10 of the SLEP 2013.	N/A
(4)	The height of any new building or addition to an existing building is not to be greater than the maximum building height shown on the Maximum Building Height Map in relation to that land.	No maximum height of buildings applies under clause 4.3 of the SLEP 2013.	N/A
(5)	Despite subclause (4) development consent may be granted to erect a building of a height which exceeds the maximum building height shown on the Maximum Building Height Map in relation to the land, where the consent authority is satisfied that:	As above.	N/A
	(a) the building height complements the height and scale of adjoining and nearby development, and		
	(b) the building height will not increase the potential for overlooking or overshadowing impacts and nearby land, and		
	(c) the building height will not adversely impact upon the visual amenity of the streetscape.		
2.10 Building line for land in certain rural, residential, business and industrial zones			

Controls:	Comments	Compliance
<p>(3) Development consent should not be granted to erect a building on land to which this clause applies, unless the consent authority is satisfied that the building will not encroach into the area between the allotment boundary and the applicable building line as indicated below.</p> <p>40m for RU1 Primary Production, RU2 Rural Landscape, RU4 Primary Production Small Lots 15m for B1 Neighbourhood Centre, B5 Business Development, IN3 Heavy Industrial, R5 Large Lot Residential, E4 Environmental Living 9m for B6 Enterprise Corridor RU5 Village 5.5m for R1 General Residential, R2 Low Density Residential</p>	<p>The proposed development has a minimum setback of 5.89 metres to Gardner Circuit and a minimum setback of 3.298 metres from its eastern frontage to Francis Place. The non-compliance with respect to the setback to Francis Place is justified by way of Control (4) below.</p>	<p>Refer below</p>
<p>(4) Despite subclause (3), development consent may be granted to erect a building which encroaches past the building line on land in Zone R1 General Residential and Zone R2 Low Density Residential, if the consent authority is satisfied that:</p> <p>(a) The building will be no closer to the road than any immediately adjoining buildings that face the same road, and</p> <p>(b) The building encroachment is not in relation to a boundary that comprises the main vehicular entrance to the site, or which addresses the main entrance to the building, and</p> <p>(c) The encroachment is appropriate in the circumstances of the case.</p>	<p>The non-compliance with respect to the setback to Francis Place is acceptable as:</p> <ul style="list-style-type: none"> • The building will be no closer to the road than any immediately adjoining buildings that face the same road; • The Francis Place frontage does not provide the main vehicular entrance to the site; and • The encroachment is appropriate in the context of a corner site where other corner sites in the locality also feature higher density land uses (semi-detached dwellings and dual occupancies; refer to Section 2.2). 	<p>✓</p>
<p>(5) Despite subclause (3), development consent may be granted to erect a building which encroaches past the building line on land in Zone RU1 Primary Production, Zone RU2 Rural Landscape, Zone RU4 Primary Production Small Lots, Zone RU5 Village, Zone R5 Large Lot Residential, Zone B1</p>	<p>The site is located in Zone R1 General Residential.</p>	<p>N/A</p>

Controls:		Comments	Compliance
	Neighbourhood Centre, Zone B5 Business Development, Zone B6 Enterprise Corridor, Zone IN3 Heavy Industrial and Zone E4 Environmental Living, where the consent authority is satisfied that:		
(a)	The building will not adversely impact upon the visual amenity of the streetscape, and		
(b)	there are no other reasonable opportunities available to erect the building in conformance with the building line, and		
(c)	the building encroachment will not have a detrimental effect on the amenity of neighbours or the public, and		
(d)	The encroachment will not adversely impact upon any heritage values, and		
(e)	The encroachment is appropriate in the circumstances of the case.		
(6)	The walls of buildings above a height of 10m must be set back at least 3 metres behind the building line. Note. 1. Buildings in Zone R1 General Residential and Zone R2 Low Density Residential should generally not be erected closer than 3m to a boundary addressing a public road.	The proposed development does not include walls with height exceeding ten metres.	N/A
2.11 Side and rear setbacks for buildings in certain rural and environmental living zone			
		The site is located in Zone R1 General Residential.	N/A
2.12 Side and rear setback for buildings in certain rural and residential zones			
(3)	The minimum setback of buildings from side boundaries on land in Zone R1 General Residential, Zone R2 Low Density Residential and Zone RU5 Village is:	The proposed development is setback a minimum of 0.946 metres from the western side boundary for the single storey building that has a wall height of less than five metres and 1.84 metres from the southern side boundary of the two storey building that has a wall height of over five metres.	✓
(a)	0.9m where the height of the wall(s) adjacent to the respective boundary do not exceed 5m,		
(b)	1.5m where the height of the wall(s) adjacent to the respective boundary exceeds 5m.		

Controls:		Comments	Compliance										
(4)	The minimum setback of buildings from rear boundaries on land in Zone R1 General Residential, Zone R2 Low Density Residential and Zone RU5 Village is 3m + 1m for every metre of wall height over 5m.	The site does not have a rear boundary.	N/A										
(5)	Despite subclauses (3) and (4), development consent may be granted to erect a building closer to a side or rear boundary, where the building is a class 10 building under the National Construction Code and the consent authority is satisfied that:	The proposed development is compliant with the minimum side setback requirements.	N/A										
(a)	there will be no unreasonable impacts on neighbouring properties,												
(b)	there will be no adverse impacts on traffic safety or site distance visibility,												
(c)	there will be no unreasonable impacts upon the visual amenity of the streetscape.												
(6)	The minimum setback of buildings from side boundaries on land in Zone R5 Large Lot Residential is 5m.	The site is located within Zone R1 General Residential.	N/A										
(7)	The minimum setback of buildings from rear boundaries on land in Zone R5 Large Lot Residential is 10m. Note. For the purposes of subclauses (3) and (4), reference to 'wall' is a reference to that part of the developments wall which addresses the respective boundary.	As above.	N/A										
2.13 Density of residential accommodation													
(3)	Development consent should not be granted for the purpose of residential accommodation unless the consent authority is satisfied that the floor space ratio (FSR) for the development will not exceed the relevant FSR shown in the following table:	The proposed development has a gross floor area (GFA) of 659.01m ² (0.44:1), compliant with the maximum 751.7m ² (0.5:1) permitted.	✓										
	<table border="1"> <thead> <tr> <th>Lot size</th> <th>Maximum floor space ratio (FSR)</th> </tr> </thead> <tbody> <tr> <td><= 300m²</td> <td>0.70:1</td> </tr> <tr> <td>> 300 m² - 600 m²</td> <td>0.65:1</td> </tr> <tr> <td>> 600 m² - 1200 m²</td> <td>0.60:1</td> </tr> <tr> <td>> 1200 m²</td> <td>0.50:1</td> </tr> </tbody> </table>			Lot size	Maximum floor space ratio (FSR)	<= 300m ²	0.70:1	> 300 m ² - 600 m ²	0.65:1	> 600 m ² - 1200 m ²	0.60:1	> 1200 m ²	0.50:1
Lot size	Maximum floor space ratio (FSR)												
<= 300m ²	0.70:1												
> 300 m ² - 600 m ²	0.65:1												
> 600 m ² - 1200 m ²	0.60:1												
> 1200 m ²	0.50:1												

Controls:		Comments	Compliance
(4)	Despite subclause (3) development consent may be granted to development for the purpose of shop top housing with a greater FSR on land in Zone B3 Commercial Core and Zone B4 Mixed Use, where the consent authority is satisfied that:	The site is located within Zone R1 General Residential.	N/A
(a)	sufficient public open space and recreation facilities exist within a 400m radius of the shop top housing, and		
(b)	Suitable outdoor clothes drying facilities are provided for the housing, and		
(c)	a formal public bus stop and/or train station is available within a 400m radius of the shop top housing.		
2.14 Density of short-term accommodation in certain rural zones			
		The site is located within Zone R1 General Residential.	N/A
2.15 Open space for residential accommodation in certain residential zones			
(3)	Development consent should not be granted for the purpose of residential accommodation on land to which this clause applies, unless the consent authority is satisfied that each dwelling has sufficient and appropriate usable open space.	The proposed development incorporates 64.16m ² of communal open space in addition to the private open space provided to each unit.	✓
(4)	In considering whether open space for development is suitable, the consent authority must have regard to the following matters:		
(a)	the open space must be readily accessible from the dwelling and open to the sky	The proposed development includes upper level units with balconies that are directly accessible from internal areas and are open to the sky. Whilst private open spaces provided to ground floor units are not open to the sky, the communal open space forming	✓

Controls:		Comments	Compliance
		part of the proposed development will be readily accessible from each unit.	
(b)	the open space must be able to be utilised for outdoor lifestyle purposes,	All private open space forming part of the proposed development will be able to be utilised for a variety of outdoor lifestyle purposes.	✓
(c)	private open space must not be located within direct view of a public road,	All private and communal open space forming part of the proposed development is to be located internally within the site.	✓
(d)	dwellings that have 2 bedrooms or less and are located at ground level, must be provided with not less than 40m ² usable private open space (per dwelling),	The proposed development includes ground floor units with 8.38m ² of private open space for one bedroom units and 15.05m ² for two bedroom units, non-compliant with the minimum 40m ² required. Justification for the non-compliance is provided in Section 4.5.3.1 .	Acceptable on merit
(e)	dwellings which are located at ground level, that have 3 bedrooms or more, must be provided with not less than 50m ² usable private open space (per dwelling),	The proposed development does not include units with three or more bedrooms at ground floor.	N/A
(f)	dwellings which are located above ground level must be provided with not less than 10m ² usable private open space (per dwelling),	Whilst the three bedroom unit at the upper level is to be provided with 21.77m ² of private open space, the two one bedroom units are to be provided with 8.38m ² of private open space, non-compliant with the minimum 10m ² required.	Acceptable on merit

Controls:		Comments	Compliance
		Justification for the non-compliance is provided in Section 4.5.3.1 .	
(g)	residential flat buildings containing 8 or more dwellings above ground level, must be provided with not less than 150m ² communal open space,	The proposed development is for the purposes of a group home. It does not contain more than eight units.	N/A
(h)	the gradient of required open space must not exceed 12%,	The gradient of private and communal open space does not exceed 12%.	✓
(i)	the smallest dimension of private open space required for dwellings located at ground level must not be less than 4m,	The proposed development includes ground level private open space with dimensions of less than four metres. Justification for the non-compliance is provided in Section 4.5.3.1 .	Acceptable on merit
(j)	the private open space for dwellings located above ground level is to be provided by way of verandas or balconies, and	The proposed development includes upper level units with private open space provided by way of balconies.	✓
(k)	the required communal and private open space must not be forward of the building line.	All private open space as part of the proposed development is provided behind the front building line.	✓
(5)	Despite subclause (4)(g), development consent may be granted to a residential flat building with less communal open space, if the consent authority is satisfied that suitably sized open space for public recreation is available within 80m of the development site.	The proposed development is for the purposes of a group home.	N/A
2.16 Environmental outcomes			
(3)	In deciding whether to grant consent to development on land, the consent authority must have regard to:	Given that the proposed site is located within the recently	✓

Controls:		Comments	Compliance
(a)	Avoidance of impacts on biodiversity,	developed Bella Ridge Estate, it is considered that the proposed development is unlikely to have any detrimental impact on the natural environment.	
(b)	Prevention of land degradation,		
(c)	Prevention of salinity,		
(d)	Maintenance of good water quality,		
(e)	Prevention of broadscale clearing in over cleared landscapes, and		
(f)	Offsetting of impacts if they cannot be avoided		
(4)	Development consent should not be granted to development on land unless the consent authority is satisfied that:	As noted above, it is considered that the proposed development is unlikely to have any detrimental impact on the natural environment.	✓
(a)	the development is designed, sited and will be managed to avoid any significant adverse environmental impact, or		
(b)	if impacts cannot be reasonably avoided, the development is designed, sited and will be managed to minimise that impact, or		
(c)	if impacts cannot be minimised, the development will be managed to mitigate that impact.		
2.18 Landscaping			
(3)	Development consent should not be granted to development on land unless the consent authority is satisfied that the site design incorporates suitable landscape.	The proposed development includes landscaped areas.	✓
(4)	In considering whether landscaping of development is suitable, the consent authority must have regard to the following matters:	A landscape plan would be provided following DA approval. It is anticipated that sufficient landscape area has been provided as part of the DA to enable plantings in accordance with the requirements specified opposite.	✓
(a)	Whether the landscaping makes a positive contribution to the streetscape appearance,		
(b)	Whether the extent of landscaping is proportionate to the scale of the development,		
(c)	Whether the landscaping is appropriate for the development type,		
(d)	whether the development is readily visible from the any street, public place or neighbouring buildings,		

Controls:		Comments	Compliance
(e)	whether the landscaping is compatible with the special qualities and characteristics of the locality,		
(f)	whether the landscaping design is safe in terms of tree maintenance, human health, security, bushfire risk and sightlines for motorists, and		
(g)	whether compliance with the following standards has been achieved:		
(i)	comprehensive plantings, incorporating trees with a mature height of at least 3m should be provided around buildings and carparking areas,		
(ii)	long stretches of outdoor parking bays are to be broken up with planting beds comprising a mix of trees and groundcovers. Not more than 10 outdoor parking spaces in a row will be permitted without separation by planting beds with minimum dimensions of 2m x 5m. Such planting beds are to comprise evergreen trees with a minimum established height of 7m that provide for maximum shade coverage and low maintenance,		
(iii)	tree species selected for shade are to have high spreading branches, nonintrusive root systems and low risk of falling branches,		
(iv)	densely planted garden beds should attribute for at least 15% of the open space area of developments in business, residential and industrial zones,		
(v)	trees and plantings are to be placed within planting beds wherever practicable to separate the trees and plantings from disturbance by grass mowing, pedestrian movement and vehicle movement,		
(vi)	garden beds are to be located where they can be easily accessed for maintenance and where they will improve the overall appearance of the site and development,		
(vii)	the majority of the garden beds for development should be provided between the building line and the front boundary so that they contribute to the appearance of the streetscape.		
(viii)	plantings and garden beds are to be located where they will not be adversely impacted by, or impact upon, vehicle or pedestrian movement.		

Controls:		Comments	Compliance
2.19 Heritage conservation			
		The site is not identified as being or adjoining a Heritage Item or within a Heritage Conservation Area under clause 5.10 of the SLEP 2013.	N/A
2.20 Demolition of heritage buildings or contributory buildings			
		As above. The site is vacant.	N/A
2.21 Earthworks and retaining			
(3)	Development consent should not be granted for earthworks or earth retaining measures that would lessen the structural integrity of any adjoining or adjacent building, retaining measure or service infrastructure.	It is not anticipated that the proposed development would include any earthworks or retaining measures that would lessen the structural integrity of any adjoining or adjacent dwellings. It is considered that these matters can be adequately addressed as part of the detailed engineering design.	✓
(4)	Development consent should not be granted for retaining walls greater than 600mm in height, within 1m of the lot boundary, unless the consent authority is satisfied that:	The proposed development will include retaining walls greater than 0.6 metres in height within one metre of the site boundaries. Suitable drainage measures and design life of the wall can be detailed following DA approval.	✓
(a)	the design of the retaining wall incorporates suitable drainage measures, and		
(b)	the design life of the wall is not less than 50 years.		
(5)	Development consent should not be granted for retaining walls greater than 900mm in height, within 1.3m of a building used for the purpose of residential accommodation.	The proposed development does not include retaining walls with	✓

Controls:		Comments	Compliance
		height exceeding 0.9 metres within 1.3 metres of a building.	
(6)	Development consent should not be granted for retaining walls constructed of timber that has a hazard treatment rating of less than H4.	Retaining walls forming part of the proposed development, if to be of timber construction, would be designed to comply with the requirement specified opposite.	✓
(7)	Development consent should not be granted for earthworks that would result in batters steeper than 1V:4H, unless the consent authority is satisfied that:	It is not anticipated that proposed development would require any form of batter steeper than 1V:4H.	N/A
(a)	the toe of the batter is not within 1.3m of an adjoining building, and		
(b)	the design incorporates suitable drainage measures to ensure that ponding or nuisance from stormwater runoff does not occur, and		
(c)	the design incorporates suitable stabilisation and erosion control measures, and		
(d)	the batter will not have a detrimental effect on the amenity of neighbours and the public, and		
(e)	the batter will not adversely impact upon the visual amenity of the streetscape, and		
(f)	the steeper batter is supported by a geotechnical report, prepared by a suitably qualified geotechnical engineer.		
2.22 Rainwater tanks for buildings in certain residential, business and industrial zones			
(3)	The objectives of this clause are as follows:	The proposed development has a roof surface area of 1,039,95m ² and includes rainwater tanks with a total capacity of approximately 22,500 litres.	✓
(a)	if the building has a roof area within the range of 150m ² to 500m ² , stormwater is drained to a rainwater tank (or tanks) with a total capacity of not less than 10,000 ltrs,		
(b)	if the building has a roof area greater than 500m ² , stormwater is drained to a rainwater tank (or tanks) with a total capacity of not less than 22,500 ltrs,		
(4)	The overflow of rainwater tanks required under this clause is to be diverted to:	It is anticipated that the proposed development would be able to	✓
(a)	the public stormwater drainage system, or		

Controls:		Comments	Compliance
	(b) where the lot does not have access to a public stormwater drainage system, an appropriate source such as a rubble absorption pit.	comply with the requirements specified opposite following DA approval.	
(5)	The consent authority should be satisfied that a rainwater tank required under this clause, which has an overflow to the public stormwater drainage system; will have at least 30% of its capacity available for onsite detention.	As above.	✓
(6)	Despite subclauses (3)(a) and (3)(b), development consent may be granted to the erection of a building on land to which this clause applies, which provides an alternative means of stormwater management, where the consent authority is satisfied that:	As above.	N/A
	(a) the alternative means of stormwater management is appropriate in the circumstances of the case,		
	(b) the design of the stormwater management system is environmentally sustainable, and		
	(c) stormwater runoff from the lot will not exceed the calculated predevelopment runoff for the lot for all storm durations for the 5-year, 20 year and 100 year ARI, and		
	(d) the stormwater management system will not generate any significant adverse onsite or offsite impacts.		
2.23 Building appearance			
(3)	Development consent should not be granted to erect a building (including external alterations and additions to an existing building), unless the consent authority is satisfied that:	Refer to Section 5.1 .	✓
	(a) the building appearance does not detract from the visual quality of the streetscape, and		
	(b) the mass and proportion of the building is appropriate in the context of the natural skyline and other development in the locality, and		
	(c) the building design provides a sense of address to the street (if the building is viewable from the street), either by fronting the street or having doorway access visible from the street, and		
	(d) the building suitably integrates with the natural features of the site, including topography, vegetation and landscaping, and		

Controls:		Comments	Compliance
(e)	the building design incorporates suitable measures to enhance the appearance of large expanses of wall including use of articulation, windows, stepped building form and suitable facade treatments, and		
(f)	the external colour treatments of the building are appropriate in the setting, and		
(g)	the building materials are suitable in relation to appearance and durability, and		
(h)	the building appearance is compatible with any heritage qualities of the building or area.		
2.24 Passive solar design and thermal efficiency for residential accommodation in certain residential zones			
(3)	Development consent should not be granted to residential accommodation on land to which this clause applies, unless the consent authority is satisfied that:		
(a)	the development will not prevent adjoining or adjacent residential accommodation from receiving a minimum of 2 hours of direct sunlight between 9.00am and 3.00pm on the 22 June, and	The proposed development will not reduce solar access to adjoining or adjacent residential accommodation to less than two hours between 9am and 3pm on 22 June.	✓
(b)	if the development is for the purpose of an attached dwelling, dual occupancy, dwelling house, secondary dwelling or semidetached dwelling, the living room(s) and required private open space will receive at least 2 hours of direct sunlight between 9.00am and 3.00pm on the 22 June, and	The proposed development is for the purposes of a group home.	N/A
(4)	A minimum R1.5 insulation is to be provided in the external walls of alterations and additions to residential accommodation.	The site is vacant.	N/A
(5)	A minimum R3 insulation is to be provided in the ceiling of alterations and additions to residential accommodation.	As above.	N/A
2.25 Accessible design			

Controls:		Comments	Compliance
(3)	Development consent should not be granted for development to which this clause applies unless the consent authority is satisfied that:		
(a)	the design of the development complies with the requirements of the Disability Discrimination Act 1992 and Disability (Access to Premises Buildings) Standards 2010, or	The proposed development has been designed to comply with the requirements specified opposite.	✓
(b)	it would be unreasonable to enforce the aspects of the design that do not comply with the Disability (Access to Premises Buildings) Standards 2010 on the grounds of unjustifiable hardship.	As above.	N/A
(4)	Applications for development to which subclause (3), paragraph (b) applies, must be supported by written justification explaining why compliance would be unreasonable on the grounds of unjustifiable hardship and be accompanied by relevant technical documentation to support the case. As a minimum, the written justification must address the following:	As above.	N/A
(a)	the aspects of the Disability (Access to Premises Buildings) Standards 2010 for which an exemption/concession is being requested and the basis for the unjustifiable hardship case, and		
(b)	all design options explored, and		
(c)	the costs of each design option considered, including the percentage of the total development cost required for providing the access, and		
(d)	the physical design constraints of each option.		
2.26 Driveway access			
(3)	Development consent should not be granted for development requiring vehicular access, unless the consent authority is satisfied that the driveway access to the site is suitable.	The proposed development includes driveway vehicular access from Gardner Circuit.	✓
(4)	Development consent should not be granted for development requiring vehicular access, unless the consent authority is satisfied that the driveway access to the site is suitable.	The proposed development includes driveway vehicular access from Gardner Circuit that is either compliant with or can be made to	✓
(a)	Driveway must:		
(i)	comply with relevant Australian standards, and		

Controls:		Comments	Compliance
	(ii) provide adequate sight distances for motorists, cyclists and pedestrians, and	comply with the requirements specified opposite.	
	(iii) comply with the relevant requirements of the Council's engineering design standards, and		
	(iv) be designed and constructed to suit design traffic loads, and		
	(v) not exceed 25% in grade, and		
	(vi) not change by more than 11% in grade for every 1.4m of driveway length, and		
	(vii) not exceed a grade of 4% for that part of the driveway within the road verge, and		
	(viii) if the driveway is long, incorporate suitable vehicle passing points.		
(b)	driveway access points should:		
	(i) have an all-weather surface treatment, and		
	(ii) be located no closer than 1.5 metres from the boundary of the subject allotment and no closer than 6 metres to a corner boundary, and		
	(iii) not be located within 12 metres on the approaches to a "stop" or "give way" sign, and		
	(iv) cross the footpath or footway at right angles to the centreline of the road, and		
	(v) be located so that any vehicle entering or leaving the site can be readily seen by the driver of an approaching vehicle in the street.		
2.27 Minimum number of car parking spaces			
(3)	Schedule 1 of the DCP sets out the minimum number of onsite car parking spaces required to be provided for:	The proposed development includes four parking spaces, compliant with the minimum four required for a group home staffed by four individuals (0.5 spaces per staff member) that comprises six independent living units with a total	✓
(a)	commercial premises,		
(b)	entertainment facilities,		
(c)	health services,		
(d)	recreation facilities,		

Controls:		Comments	Compliance
(e)	residential accommodation, and	of nine beds (one space per five beds).	
(f)	certain other miscellaneous land uses.		
(4)	Development consent should not be granted for development that would generate car parking demand, unless the consent authority is satisfied that the number of car parking spaces available onsite would be sufficient to accommodate that demand.	As above.	✓
(5)	Despite subclauses 3 and 4, development consent may be granted to development that provides a lesser number of onsite car parking spaces where the consent authority is satisfied that it is appropriate in the circumstances of the case because:	As above.	N/A
(a)	there is a historic deficiency in car parking associated with the site, or		
(b)	the development is of a minor nature and would not create a demand for more than one additional car parking space, or		
(c)	there are no reasonable opportunities to provide parking onsite and there is sufficient public parking available in close proximity to the development site.		
(6)	In considering whether the reduced provision of onsite car parking is appropriate in the circumstances of the case, the consent authority must have regard to the following matters:	As above.	N/A
(a)	impacts on local traffic, and		
(b)	availability and access to public transport, and		
(c)	impacts on the amenity of neighbours and the public, and		
(d)	impacts on streetscape amenity, and		
(e)	whether there are reasonable opportunities to provide the parking on the allotment, and		
(f)	whether there is sufficient alternative public parking in vicinity of the site.		
2.29 Waste storage and collection areas			

Controls:		Comments	Compliance
(3)	Development consent should not be granted to development that would generate waste or the need to store waste onsite, unless the consent authority is satisfied that suitable waste storage areas are provided.	The proposed development incorporates suitable waste storage.	✓
(4)	In considering whether waste storage areas are suitable, the consent authority must have regard to the following matters:	<p>As noted above, the proposed development has been designed to incorporate a waste storage area adjacent to the Francis Place frontage.</p> <p>The waste storage area has been designed to reflect the experience of Housing Plus operating similar facilities. Based on this experience, it is considered that the proposed waste storage area is unlikely to cause offence through the emission of dust, leachate, odour or unsightliness.</p> <p>The proposed waste storage area has been designed with regard to the requirements (a) – (h). It is considered that each of the relevant matters have been met.</p>	✓
(a)	waste storage areas must have sufficient capacity to provide for the type and volume of waste generated, and		
(b)	stored waste must not create offence through the emission of dust, leachate, odour or unsightliness, and		
(c)	storage areas and receptacles must be conveniently located for the user and waste collector, and		
(d)	storage facilities for putrescible wastes must have suitable shelter, be well ventilated, appropriately waterproofed and adequately vermin proofed, and		
(e)	waste must not be permitted to pollute the air, water or soil, and		
(f)	waste storage areas are to be provided with suitable provisions for cleaning of the areas, including an accessible hose cock (unless inappropriate for the type of waste being stored), and		
(g)	the design of waste storage areas should be such that they complement the development and are not readily visible from the street and other public areas, and		
(h)	where vehicles need to access the waste storage area(s) for collection, the waste storage area(s) must be able to be accessed by the collection vehicle without requiring the vehicle to reverse into or out of the site.		
(5)	Chemicals and pollutants must be disposed of in accordance with pollution control laws and occupational health and safety regulations.	The proposed development will not generate any chemicals or pollutants.	N/A
2.30 Sheds in certain rural, residential and environment protection zones			
		The proposed development does not include a shed.	N/A

Controls:		Comments	Compliance
2.31 Outdoor dining areas			
		The proposed development does not include outdoor dining areas.	N/A
2.32 Outdoor signage			
		The proposed development does not include outdoor signage.	N/A
2.33 Viticulture buffers			
		The site does not adjoin land use for viticulture.	N/A
2.34 Views and visual impact			
(3)	Development consent should not be granted to development on any land to which this Plan applies, unless the consent authority is satisfied that the development will not have significant adverse impacts on the visual quality of the locality, landscape or streetscape.	Refer to Section 5.1 .	✓
(4)	Development consent should not be granted to development on any land to which this Plan applies, unless the consent authority is satisfied that the development will not have significant adverse impacts on the privacy of residences.	Visual privacy impacts from ground floor windows in the proposed development to neighbouring properties will be mitigated by fences along the property boundaries. Visual privacy impacts from first floor: <ul style="list-style-type: none"> • Windows in the proposed development to neighbouring properties will be minimal due to being associated with a bathroom (non-habitable space) 	✓

Controls:		Comments	Compliance
		<p>or bedrooms (typically only used at night with blinds drawn); and</p> <ul style="list-style-type: none"> Balconies will be mitigated through privacy screening along the western edge. 	
(5)	In deciding whether to grant consent to development on land, the consent authority must have regard to the following matters:	Refer to Section 5.1 .	✓
(a)	whether buildings or structures would break the natural skyline, and		
(b)	whether boundaries and demarcation between areas is appropriate, and		
(c)	the balance between humanmade and natural features, and		
(d)	whether the hue and intensity of colours is appropriate in the setting, and		
(e)	whether the appearance of the development is consistent with community preferences, in the context that progress can change perceptions, and		
(f)	avoidance of detrimental impacts on the enjoyment of views to significant landmarks and vistas from public domain view corridors.		
(g)	whether any proposed barriers or screens are appropriate and provide high quality visual outcomes, and		
(h)	how the development will look at different times of the day and in different seasons, and		
(i)	whether direct views into the windows of habitable rooms of any nearby dwellings is mitigated through screening, distance separation or other suitable design measure.		

B.2 Part 4 Miscellaneous Provisions

Controls:	Comments:	Compliance
4.1 Operational details		

Controls:		Comments:	Compliance
(3)	Development consent should not be granted for a land use to which this clause applies, unless the consent authority is satisfied that the land use will not generate any significant adverse impacts as a result of:		
(a)	hours of operation	Whilst the proposed development will be open to provide refuge to domestic violence survivors and their dependents on a 24/7 basis, it will not have adverse impact on neighbouring properties as services during the night are limited to accepting and providing lodging to the those in need.	✓
(b)	employee numbers	The proposed development would be staffed by a maximum of four staff.	✓
(c)	customer or patron numbers	The proposed development provides capacity for a maximum of nine adult patrons. A higher number of people may reside within the facility if domestic violence survivors arrive with children.	✓
(d)	waste management	Refer to Section 5.5 .	✓
(e)	traffic generation.	Refer to Section 5.2 .	✓
(f)	chemical use or storage	The proposed development does not involve chemical use or storage.	N/A
(g)	emissions	The proposed development will not result in any emissions other than	✓

Controls:		Comments:	Compliance
		noise emissions associated with conversation in communal open space areas and children using the playground. The level of noise generated is not expected to be greater than that which can be expected from the backyard of a dwelling house.	
(4)	The consent authority may require details to be provided in writing in relation to all or some of the matters referred to by subclause (3).	Noted	✓
4.2 Events and festivals			
		The proposed development does not include events or festivals.	N/A
4.3 Site planning			
(3)	Before granting development consent for any development on land, the consent authority must consider whether or not the information lodged with the application provides accurate details of the property (e.g. survey plan, ground levels, drawings of existing buildings if they exist).	It is understood that the proposed development has been designed to respond to the existing conditions of the site and that the information submitted with the DA is accurate.	✓
(4)	Before granting development consent for any development on land, the consent authority must consider whether or not the site is suitable for the development taking into account the following:		
(a)	road layout and design, and	The proposed development does not include new roads.	N/A
(b)	lot size, shape and dimensions, and	The site has sufficient area and shape to accommodate the proposed development, demonstrated by its compliance with setbacks, landscape	✓

Controls:		Comments:	Compliance
		area and FSR controls contained in this DCP.	
(c)	access, and	Vehicular access to the site is to be provided from Gardner Circuit in accordance with SSC requirements.	✓
(d)	drainage requirements, and	Refer to Section 4.5.1.3.2.	✓
(e)	utilities and services, and	As above.	✓
(f)	sewage disposal, and	As above.	✓
(g)	natural hazards, and	The site is not known to be affected by any natural hazards.	N/A
(h)	character of the locality, and	Refer to Section 5.1.	
(i)	heritage and archaeological conservation, and	The site is not identified as being or adjoining a Heritage Item or within a Heritage Conservation Area under clause 5.10 of the SLEP 2013. The site is unlikely to contain Aboriginal sites or places due to being heavily disturbed as part of the recent construction of the residential subdivision.	N/A
(j)	tree preservation, and	There are no existing trees within the site.	N/A
(k)	soils.	It is anticipated that SSC is satisfied of soil conditions, having granted consent to the residential subdivision	✓

Controls:		Comments:	Compliance
		in which dwelling houses are now under construction.	
(5)	Before granting development consent for any development on land, the consent authority must consider whether or not the design is appropriate, particularly in relation to:	Refer to Section 5.1 .	✓
(a)	building arrangement and relationships to streets and open spaces, and		
(b)	opportunities to maximise northerly aspect for buildings and private open spaces, and		
(c)	appropriateness of built form and landscape in relation to the site context, topography and urban character, and		
(d)	location, function and opportunities for casual surveillance of open space, and		
(e)	the likely impact of the development on neighbouring properties, particularly with regard to overshadowing, privacy and obstruction of views, and		
(f)	topographical features such as slope, existing natural vegetation and opportunities for the creation of views and vistas, and		
(g)	the extent to which driveways and/or parking areas are likely to dominate the appearance of the development, and		
(h)	building scale, setbacks, form, height, roof pitch, verandah location, window and door location, proximity of eaves, structures, air vents, extracts, plant or equipment, and		
(i)	access arrangements within and beyond the site, including visibility, width and design speed of proposed roads and/or driveways, and		
(j)	heritage and nature conservation opportunities and constraints, and		
(j)	opportunities to link into existing open space, pedestrian and cycle networks, and		
(k)	hazards (e.g. bushfire, flooding, mine subsidence, landslip, etc), and		
(l)	the streetscape appearance, and		
(m)	landscaping, and		

Controls:		Comments:	Compliance
(n)	skyline, and		
(o)	type and height of fencing to the street, and		
(p)	any proposed signage, and		
(q)	the sense of identity and social wellbeing of the neighbourhood, and		
(r)	privacy or security.		
(6)	Before granting development consent for any development on land, the consent authority must consider whether or not the development is appropriate or likely to have any adverse impact in relation to services such as:	<p>As noted in Section 5.3, the site is served by essential services including sewer, water supply, stormwater drainage and electricity. It is anticipated servicing would be augmented as required subject to approval.</p> <p>Given the scale of the proposed development, it is considered unlikely that it would have any detrimental impact on other services such a mail delivery, garbage collection or public transport.</p>	✓
(a)	Sewer,		
(b)	Water supply,		
(c)	Stormwater drainage,		
(d)	Electricity,		
(e)	Telephone,		
(f)	Gas,		
(g)	Public transport,		
(h)	Garbage Collection, and		
(i)	Mail delivery.		



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